IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

Commerce Way Office Complex, LP	:	CIVIL ACTION
v.	:	
Ulysses Capital Partners, LLP	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

(a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )

(b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )

(c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )

(d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )

(e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )

(f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

2/14/17	Arkadiy Grinshpun, Esq.	Plaintiff
Date	**Attorney-at-law**	**Attorney for**
(215) 708-7390	(215) 708-7391	agrinshpun@fglawpc.com
Telephone	**FAX Number**	**E-Mail Address**

(Civ. 660) 10/02

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 2708 Commerce Way, Suite 300, Philadelphia, PA 19154

Address of Defendant: 4218 Amboy Road, Suite A, Staten Island, NY 10308

Place of Accident, Incident or Transaction: Commonwealth of Pennsylvania

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes☐ No☒

Does this case involve multidistrict litigation possibilities? Yes☐ No☒

RELATED CASE, IF ANY:

Case Number: ______ Judge ______ Date Terminated: ______

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes☐ No☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes☐ No☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes☐ No☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes☐ No☒

CIVIL: (Place ✔ in ONE CATEGORY ONLY)

A. *Federal Question Cases:*
1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify) ______

B. *Diversity Jurisdiction Cases:*
1. ☒ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
(Please specify) ______

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Arkadiy Grinshpun, counsel of record do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of $150,000.00 exclusive of interest and costs;

☐ Relief other than monetary damages is sought.

DATE: 2/14/17 [signature] Attorney-at-Law 82527 Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 2/14/17 [signature] Attorney-at-Law 82527 Attorney I.D.#

CIV. 609 (5/2012)

JS 44 (Rev. 07/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

Commerce Way Office Complex, LP

(b) County of Residence of First Listed Plaintiff: Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
Freedman & Grinshpun, PC
7909 Bustleton Avenue Philadelphia, PA 19152
(215) 708-7390

DEFENDANTS

Ulysses Capital Partners, LLP

County of Residence of First Listed Defendant: New York
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☒ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)* *(For Diversity Cases Only)*

	PTF	DEF		PTF	DEF
Citizen of This State	☒ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☒ 4	☐ 4
Citizen of Another State	☐ 2	☒ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☒ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☒ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
28 USC Section 1332

Brief description of cause:
Complaint in Confession of Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE ____ DOCKET NUMBER ____

DATE: 2/14/17

SIGNATURE OF ATTORNEY OF RECORD: [signature]

FOR OFFICE USE ONLY

RECEIPT # ____ AMOUNT ____ APPLYING IFP ____ JUDGE ____ MAG. JUDGE ____

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP Plaintiff, vs. ULYSSES CAPITAL PARTNERS, LLP Defendant.	:	CIVIL ACTION NO.

COMPLAINT IN CONFESSION OF JUDGMENT

A. Jurisdiction and Venue

1. This Court has subject matter jurisdiction over this action under and pursuant to 28 U.S.C. §1332(a) in that Plaintiff is a citizen of the Commonwealth of Pennsylvania, Defendant is a citizen of the State of New Jersey, and the amount in controversy exceeds the value of $75,000.00, exclusive of interest and costs.

2. Venue is proper in this district under and pursuant to 28 U.S.C. §1391(a) in that a substantial part of the events or omissions giving rise to the cause of action asserted herein occurred in this district.

B. Parties

3. Plaintiff, COMMERCE WAY OFFICE COMPLEX, LP (hereinafter COMMERCE WAY), is a Pennsylvania Limited Partnership, regularly conducting business in Commonwealth of Pennsylvania and having a principal place of business with a registered

corporate headquarters located at 2708 Commerce Way, Suite 300, Philadelphia, Pennsylvania 19154.

4. Defendant, ULYSSES CAPITAL PARTNERS, LLP (hereinafter "ULYSSES") is a New Jersey Limited Liability Partnership, regularly conducting business in Commonwealth of Pennsylvania and having a registered corporate headquarters located at 4218 Amboy Road, Suite A, Staten Island, New York 10308; at all times relevant, acting alone or in concert with others, formulated, directed, concealed, controlled, conspired, substantially assisted, enabled, and/or participated in the acts and practices set forth in this Complaint.

5. At all times relevant hereto, defendant acted by and through their agents, servants, and employees who acted within the scope of their authority and within the course of their employment.

C. Factual Allegations

6. At all times relevant hereto, defendant acted by and through their agents, servants, and employees who acted within the scope of their authority and within the course of their employment.

7. Attached to this complaint filed with the court is a true and correct reproduction of the original Lease Agreement (the "Lease") signed by Douglas Val Arena, dated April 1, 2016, on which this confession of judgment for possession and confession of judgment for money are based.

8. A true and correct copy of that instrument containing the confession of judgment for possession and confession of judgment for money damages is attached hereto and incorporated by reference herein as Exhibit "A".

9. Paragraph 7(b) of the Lease Summary Page states that the first payment to Plaintiff is due from Defendant on July 20, 2016. See Exhibit "A" attached hereto.

10. Paragraph 8 of the Lease Summary Page states that the lease expires on March 31, 2019. See Exhibit "A" attached hereto.

11. Paragraph 21(a)(aa) of the Lease states that "immediately to declare due and payable as if by the terms of this Lease the same were payable in advance, all Annual Rent and Additional charges (as determined by the Landlord's good faith estimate of all charges, payments, costs and expenses herein agreed to be paid by Tenant up to the end of said term, which are not capable of precise determination) for the balance of the Term . . . ." See Exhibit "A" attached hereto.

12. Accordingly, the calculation of rents as defined in the Lease totals the principal amount of $198,000.00 for thirty three (33) months.

13. Judgment is not being entered by confession against a natural person in connection with a consumer credit transaction.

14. Judgment is not being entered by confession against a natural person in connection with a residential lease.

15. Judgment on Exhibit "A" has not heretofore been entered in any jurisdiction.

16. Judgment may now be entered on the instrument because of occurrence of the termination of the Lease due to default by Tenant under the Lease.

17. An itemized computation of the amount due is as follows:

a. Principal sum due:		$198,000.00
b. Interest:		$0.00
c. Attorney fees (5%)		$9,900.00
	Total:	$207,900.00

18. Judgment in favor of plaintiff and against defendant is demanded as authorized by the warrant of attorney filed in connection with this complaint.

19. Description of property: 2708 Commerce Way, Philadelphia, Pennsylvania 19154.

20. The instrument is less than twenty years old, and a copy is attached hereto; no application for a court order granting leave to enter judgment after notice is required.

WHEREFORE, plaintiff demands judgment in the sum of $207,900.00 in its favor and against defendant Ulysses Capital Partners, LLP, plus continuing interest at the rate of 8% per annum.

Freedman & Grinshpun, PC

/s/ Arkadiy Grinshpun
Arkadiy Grinshpun, Attorney for Plaintiff
(PA I.D. # 82527)
7909 Bustleton Avenue
Philadelphia, PA 19152
(215) 708-7390
(215) 708-7391 fax
agrinshpun@fglawpc.com

VERIFICATION

I, Simon Friedman, am Officer of Commerce Way Office Complex, LP, and am authorized to make this verification on its behalf. I hereby verify that the matters set forth in the foregoing Complaint in Confession of Judgment are true and correct to the best of my knowledge, information, and belief. I understand that the statements made herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Dated: 2/14/17

Simon Friedman

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
ULYSSES CAPITAL PARTNERS, LLP	:	NO.
Defendant.	:	

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a JUDGMENT BY CONFESSION has been entered against you in the above proceeding and that enclosed herewith is a copy of all the documents filed in support of the said judgment.

If you have any questions concerning this notice, please call Arkadiy Grinshpun, Esquire at (215) 708-7390.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

By:______________________________
Michael E. Kunz
Clerk of Court

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
ULYSSES CAPITAL PARTNERS, LLP	:	NO.
Defendant.	:	

PRAECIPE FOR ENTRY OF JUDGMENT BY CONFESSION

TO THE CLERK:

Kindly enter judgment by confession in the above-captioned matter in favor of Plaintiff, COMMERCE WAY OFFICE COMPLEX, LP, and against Defendant, ULYSSES CAPITAL PARTNERS, LLP, in the amount of $207,900.00, calculated as follows:

a. Principal sum due:	$198,000.00
b. Interest:	$0.00
c. Attorney fees (5%)	$9,900.00
Total:	$207,900.00

With continuing interest at the annual rate of 3%, plus attorney's fees and costs of suit.

Freedman & Grinshpun, PC

Dated: February 14, 2017

/s/ Arkadiy Grinshpun

Arkadiy Grinshpun, Attorney for Plaintiff
(PA I.D. # 82527)
7909 Bustleton Avenue
Philadelphia, PA 19152
(215) 708-7390
(215) 708-7391 fax
agrinshpun@fglawpc.com

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
ULYSSES CAPITAL PARTNERS, LLP	:	NO.
Defendant.	:	

JUDGMENT

AND NOW, this _______ day of ____________________________, 2017, a complaint in confession of judgment having been filed;

JUDGMENT IS HEREBY ENTERED in favor of Plaintiff, COMMERCE WAY OFFICE COMPLEX, LP, and damages are assessed against Defendant, ULYSSES CAPITAL PARTNERS, LLP, as follows:

a. Principal sum due:	$198,000.00
b. Interest:	$0.00
c. Attorney fees (5%)	$9,900.00
Total:	$207,900.00

With continuing interest at the annual rate of 3%, plus attorney's fees and costs of suit.

FOR A JUDGMENT in the amount of $207,900.00, with continuing interest at the annual rate of 3%, plus attorney's fees and costs of suit.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

By:_______________________________________
Michael E. Kunz
Clerk of Court

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP Plaintiff, vs. ULYSSES CAPITAL PARTNERS, LLP Defendant.	:	CIVIL ACTION NO.

AVERMENT OF DEFAULT

I, Simon Friedman, Officer of Commerce Way Office Complex, LP, aver that Defendant is in default of the instrument attached as Exhibit "A" to the Complaint in Confession of Judgment filed in this matter in that they failed to make payment of all sums due and owing thereunder when due, as a result of which the entire sums owing ______________ have become immediately due and payable.

Dated: 2/14/17

Simon Friedman

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
	:	NO.
ULYSSES CAPITAL PARTNERS, LLP	:	
Defendant.	:	

CONFESSION OF JUDGMENT

Pursuant to the authority contained in the Warrant of Attorney, a copy of which is attached to the Complaint in Confession of Judgment filed in this action as Exhibit "A", I appear for the Defendant, ULYSSES CAPITAL PARTNERS, LLP, and confess judgment in favor of the Plaintiff, COMMERCED WAY OFFICE COMPLEX, LP, and against the Defendant, ULYSSES CAPITAL PARTNERS, LLP, as follows:

a. Principal sum due:	$198,000.00
b. Interest:	$0.00
c. Attorney fees (5%)	$9,900.00
Total:	$207,900.00

With continuing interest at the annual rate of 3%, plus attorney's fees and costs of suit.

FOR A JUDGMENT in the amount of $207,900.00, with continuing interest at the annual rate of 3%, plus attorney's fees and costs of suit.

Freedman & Grinshpun, PC

Dated: February 14, 2017

/s/ Arkadiy Grinshpun

Arkadiy Grinshpun, Attorney for Plaintiff
(PA I.D. # 82527)
7909 Bustleton Avenue
Philadelphia, PA 19152
(215) 708-7390
(215) 708-7391 fax
agrinshpun@fglawpc.com

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
	:	NO.
ULYSSES CAPITAL PARTNERS, LLP	:	
Defendant.	:	

ASSESSMENT OF DAMAGES

TO THE PROTHONOTARY:

You are hereby directed to assess damages in favor of Plaintiff, COMMERCE WAY OFFICE COMPLEX, LP, and against Defendant ULYSSES CAPITAL PARTNERS, LLP, as follows:

a.	Principal sum due:	$198,000.00
b.	Interest:	$0.00
c.	Attorney fees (5%)	$9,900.00
	Total:	$207,900.00

With continuing interest at the annual rate of 3%, plus attorney's fees and costs of suit.

FOR A JUDGMENT in the amount of $207,900.00, with continuing interest at the annual rate of 3%, plus attorney's fees and costs of suit.

Freedman & Grinshpun, PC

Dated: February 14, 2017

/s/ Arkadiy Grinshpun

Arkadiy Grinshpun, Attorney for Plaintiff
(PA I.D. # 82527)
7909 Bustleton Avenue
Philadelphia, PA 19152
(215) 708-7390
(215) 708-7391 fax
agrinshpun@fglawpc.com

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
ULYSSES CAPITAL PARTNERS, LLP	:	NO.
Defendant.	:	

VERIFICATION OF BUSINESS PURPOSE

I, Simon Friedman, Officer of Commerce Way Office Complex, LP, hereby verify that the transactions represented by the Lease attached as Exhibit "A" to the Complaint in Confession of Judgment filed in this action arose out of a business transaction and was not entered into for personal, family, or household purposes. I understand that the statements made ~~herein are~~ made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Dated: 2/14/17

Simon Friedman

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP Plaintiff, vs. ULYSSES CAPITAL PARTNERS, LLP Defendant.	CIVIL ACTION NO.

VERIFICATION OF ADDRESS

I, Simon Friedman, Officer of Commerce Way Office Complex, LP, hereby certify that the address of Plaintiff, COMMERCE WAY OFFICE COMPLEX, LP is 2708 Commerce Way, Suite 300, Philadelphia, Pennsylvania 19154 and that the last known address of Defendant, ULYSSES CAPITAL PARTNERS, LLP, is 4218 Amboy Road, Suite A, Staten Island, New York 10308. I understand that the statements made herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Dated: 2/14/17

[signature]
Simon Friedman

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
ULYSSES CAPITAL PARTNERS, LLP	:	NO.
Defendant.	:	

VERIFICATION OF INCOME

I, Simon Friedman, Officer of Commerce Way Office Complex, LP, hereby verify to the best of my knowledge and belief that the income of Defendant, ULYSSES CAPITAL PARTNERS, LLP, is in excess of $10,000.00 per year. I understand that the statements made herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Dated: 2/14/17

Simon Friedman

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
ULYSSES CAPITAL PARTNERS, LLP	:	NO.
Defendant.	:	

VERIFICATION OF NO CONSUMER CREDIT TRANSACTION

I, Simon Friedman, Officer of Commerce Way Office Complex, LP, hereby verify that this Judgment by Confession is not being entered against a natural person in connection with a consumer credit transaction. I understand that the statements made herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Dated: 2/14/17

Simon Friedman

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
	:	NO.
ULYSSES CAPITAL PARTNERS, LLP	:	
Defendant.	:	

VERIFICATION OF NO RETAIL INSTALLMENT SALE

I, Simon Friedman, Officer of Commerce Way Office Complex, LP, hereby verify that this is not an action by a seller, holder, or assignee arising out of a retail installment sale contract or account. I understand that the statements made herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Dated: 2/14/17

Simon Friedman

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
	:	NO.
ULYSSES CAPITAL PARTNERS, LLP	:	
Defendant.	:	

VERIFICATION OF NON-MILITARY STATUS

I, Simon Friedman, Officer of Commerce Way Office Complex, LP, hereby verify that to the best of my knowledge, information, and belief, the above-named Defendant is not in or associated with the military or naval services of the United States or its allies or otherwise within provisions of the Soldier's and Sailor's Civil Relief Act of 1940, as amended. I understand that the statements made herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Dated: 2/14/17

Simon Friedman

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP Plaintiff, vs. ULYSSES CAPITAL PARTNERS, LLP Defendant.	:	CIVIL ACTION NO.

NOTICE OF RIGHT TO RECOVER ATTORNEY FEES AND COSTS AND PROCEDURE TO FOLLOW TO STRIKE OFF OR OPEN CONFESSED JUDGMENT

TO: ULYSSES CAPITAL PARTNERS, LLP
4218 Amboy Road, Suite A
Staten Island, New York 10308

Pursuant to 42 Pa. C.S.A. 2737.1, you are hereby notified that a debtor who has been incorrectly identified and had a confession of judgment entered against him shall be entitled to costs and reasonable attorney fees as determined by the court.

Pursuant to 42 Pa. C.S.A. 2737.1, you are hereby notified of the instructions regarding the procedure to follow to strike off or open a confessed judgment under Pennsylvania Rule of Civil Procedure 2959, which is reproduced in full on the following page.

Freedman & Grinshpun, PC

Dated: February 14, 2017

/s/ Arkadiy Grinshpun

Arkadiy Grinshpun, Attorney for Plaintiff
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Pennsylvania Rule of Civil Procedure 2959
Striking Off or Opening Judgment; Pleadings; Procedure

(a)(1) Relief from a judgment by confession shall be sought by petition. Except as provided in subparagraph (2), all grounds for relief whether to strike off the judgment or to open it must be asserted in a single petition. The petition may be filed in the county in which the judgment was originally entered, in any county to which the judgment has been transferred or in any other county in which the sheriff has received a writ of execution directed to the sheriff to enforce the judgment.

(2) The ground that the waiver of the due process rights of notice and hearing was not voluntary, intelligent and knowing shall be raised only

(i) in support of a further request for a stay of execution where the court has not stayed execution despite the timely filing of a petition for relief from the judgment and the presentation of prima facie evidence of a defense; and

(ii) as provided by Rule 2958.3 or Rule 2973.3.

(3) If written notice is served upon the petitioner pursuant to Rule 2956.1(c)(2) or Rule 2973.1(c), the petition shall be filed within thirty days after such service. Unless the defendant can demonstrate that there were compelling reasons for the delay, a petition not timely filed shall be denied.

(b) If the petition states prima facie grounds for relief the court shall issue a rule to show cause and may grant a stay of proceedings. After being served with a copy of the petition the plaintiff shall file an answer on or before the return day of the rule. The return day of the rule shall be fixed by the court by local rule or special order.

(c) A party waives all defenses and objections which are not included in the petition or answer.

(d) The petition and the rule to show cause and the answer shall be served as provided in Rule 440.

(e) The court shall dispose of the rule on petition and answer, and on any testimony, depositions, admissions and other evidence. The court for cause shown may stay proceedings on the petition insofar as it seeks to open the judgment pending disposition of the application to strike off the judgment. If evidence is produced which in a jury trial would require the issues to be submitted to the jury the court shall open the judgment.

(f) The lien of the judgment or of any levy or attachment shall be preserved while the proceedings to strike off or open the judgment are pending.

(g) (1) A judgment shall not be stricken or opened because of a creditor's failure to provide a debtor with instructions imposed by an existing statute, if any, regarding procedures to follow to strike a judgment or regarding any rights available to an incorrectly identified debtor.

(2) Subdivision (g)(1) shall apply to (1) judgments entered prior to the effective date of subdivision (g)1 which have not been stricken or opened as of the effective date and (2) judgments entered on or after the effective date.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMERCE WAY OFFICE COMPLEX, LP	:	
Plaintiff,	:	CIVIL ACTION
vs.	:	
ULYSSES CAPITAL PARTNERS, LLP	:	NO.
Defendant.	:	

AFFIDAVIT OF SUM CERTAIN

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF PHILADELPHIA :

I, Simon Friedman, upon my oath, depose and say:

1. Affiant, Simon Friedman, is Officer of Plaintiff, Commerce Way Office Complex, LP, and as such, affiant has the authority to make this affidavit on the behalf of Plaintiff.
2. I have examined the records of Plaintiff concerning the above referred to obligations, and find from said records that there is due, as of February 14, 2017, to Plaintiff in this matter, the sum certain of $226,800.00, as set forth below:

a.	Principal sum due:	$198,000.00
b.	Interest:	$0.00
c.	Attorney fees (5%)	$9,900.00
	Total:	$207,900.00

Interest continues to accrue at the annual rate of 3%, plus continuing costs and attorney's fees, as provided under the Lease.

3. Plaintiff is still the holder and owner of the aforesaid obligation.

4. I certify that the above statements are true. I am aware that if any of the above statements are willfully false that I am subject to punishment.

Dated: 2/14/17

Simon Friedman

Sworn to and Subscribed
before me this 14 day
of February, 2017.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
KIMBERLY BULLARD
Notary Public
CITY OF PHILADELPHIA, PHILADELPHIA CNTY
My Commission Expires Oct 18, 2018